


Family Court Newsletter



Bimonthly News and Information
about Family Court in Kentucky

August 1998

Kentucky Courts are in the Family Way!

Governor Paul Patton's signature on House Bill 544 has created not one, not two, but nine new family court pilot projects for Kentucky. The attainment of this goal is due in large part to the vision and support of Chief Justice Stephens for whom the implementation of family courts in the Commonwealth has been a personal ambition. The first three Supreme Court districts are expected to be in operation by October 1998, they include development of a family court in Pike County, Warren County, and one for Boone and Gallatin Counties. The remaining six family courts are slated for implementation in September of 1999. The counties benefitting by the addition of a family court include: Christian County, McCracken County, Pulaski, Rockcastle and Lincoln Counties, Franklin County, Madison and Clark Counties, and Floyd County.

The new law establishes not only the counties to receive family courts, but also defines the baseline jurisdictions which comprise a family court

"Kentucky-style." In addition, the law mandates the establishment of a Family Court Council and creates the position of a Statewide Family Court Coordinator.

The Family Court Council formed in each county will explore different program options and provide input from the community and all the key stakeholders. The council is chaired by the Chief Family Court Judge and is multi-disciplinary in nature. The responsibilities of the council include drafting and recommending local rules of practice, to be approved by the Chief Justice, designing court policy and evaluating the court's successes and brainstorming solutions to the challenges that face a new system.

While there is underlying continuity, the law provides the flexibility to allow each family court to be responsive to the unique needs of its community. In this way the family courts can address the varying needs of different caseloads, and each different

community's strengths and resources. In this way a Family Court can provide the best forum to serve its families.

What is "Family Court"?

The term "family court" has different meanings to different people. Many state, country and even local courts nationally call themselves a "Family Court" without any thought to what the term includes substantively or procedurally. Kentucky solved this dilemma with the precise language of the new statute creating the nine Family Court Pilot Projects across the Commonwealth. Jurisdiction within a Kentucky Family Court is defined as the following: domestic or family issues, dissolution of marriage, child custody, visitation, support and equitable distribution, adoption and termination of parental rights, domestic violence, including emergency protective orders, non-criminal

juvenile matters, including juvenile mental inquests and self-consent abortions, paternity and UIFSA matters, dependency, neglect and abuse, and status offenses. The language of the statute provides this basic jurisdiction, however does leave room for some of the pilot projects to be creative, e.g. counties may experiment with including other dockets within their model. Some counties are exploring inclusion of delinquency, probate and guardianship jurisdiction.

It is the belief of the legislature that the establishment of a court devoted exclusively to, and specializing in, the complexities of family law, with assignment of all related cases to a single judge, enhances the quality of service received by families. The continuity of judicial decision-making, and the development of expertise in the management and resolution of family law cases are values expressed by House Bill 544.

The functions of a comprehensive family court involve four basic elements which need identification and consideration from the outset. First, as a court it must strictly adhere to legal and equitable principals and refuse to act without a solid legal base. Second, the family court system should be recognized as a social service delivery system, which requires and provides necessary services either directly or by way of referral to outside agencies. Third, as a unified case processing and management

system, the family court provides substantial screening, assignment and monitoring of cases. Finally the organizational structure and administration of a total family court system needs to provide the leadership necessary to ensure that it functions in accord with established principals and standards.¹

With careful planning and preparation, to include full participation of judges, staff and interested and affected persons in all branches of government and the community, family courts of high quality are fully attainable. If the focus on family courts results only in enlightened awareness of the need for carefully trained judges and staff, or to increase the use of non-adversarial techniques, or provide greater access, or improve the coordination and networking of resources, those results are well worth the effort. It is our hope to go one step further and fully implement comprehensive and unified family courts and to fashion the most effective judicial response to the needs of Kentucky families.

Page, Robert. *"Family Courts" A Model for Effective Judicial Approach to the Resolution of Family Disputes.* ABA Summit on Unified Family Courts: Exploring Solutions for Families, Women and Children in Crisis. ABA 1998.

Letter from the Coordinator

It is my privilege, as Kentucky introduces this new way of doing business, to be the first statewide Family Court Coordinator. The responsibilities of this position are described by the statute establishing the new nine family court pilots. These duties include coordinating facilities, personnel, technology, and other resources for the new projects, assisting in the development of local rules of practice, and evaluation of the family courts, their individual projects and their short term and long-range impacts. When I first started law school, I had anticipated working in the corporate sector, as someone's in-house counsel, melding my business background and my new legal experience into a viable, and lucrative career. My life took a significant turn (for the better), when my family grew by two. My son, Tyler made his appearance in my first year of law school, and my daughter, Kennedy, the spring break of my second. (Perhaps I took my Family Law Seminar that spring too seriously!) Domestic relations law, juvenile law, and alternative dispute resolution began to consume my reading and oddly enough, as I learned more, I slowly realized that my goals and visions had changed. Now the challenge was finding a place where I felt my skills and experiences could make a difference. The development of a pilot family court project in

Louisville proved to be the perfect fit.

I look forward to working with the nine new pilot family court projects, to facilitate their growth and effectiveness, and to help them meet the challenges of their changing communities. I am tremendously excited by the vision of Chief Justice Stephens, the Supreme Court, and our legislature in making Family Courts in the Commonwealth a reality. Together we can make Family Courts not just another trendy label, but a positive change for Kentucky's families and children.

I look at this newsletter as an opportunity to share "cutting-edge" ideas regarding Family Courts, as well as, to inform to any interested persons regarding the implementation and progress of our new pilots. This is a collaborative effort, a community partnership, and I welcome your input and comment. I look forward to hearing from you.

Sincerely,
Carla Kreitman

Who's Who in Family Court - Administrative Office of the Courts...

Carla Kreitman is the Statewide Family Court Coordinator, and comes to this position after over five years with the Jefferson Family Court Project. Carla earned her degree in Business Administration from

Bellarmino College, and remained there to work towards an M.B.A. She graduated from the University of Louisville School of Law in 1991. She served as General Counsel to the Jefferson Family Court Project, and as a Trial Commissioner to the Jefferson District Courts. As a member of the National Council of Juvenile and Family Court Judges, she has researched the growth of family courts across the nation and is eager to facilitate the development of our nine new family court pilots.

Dana Fening acts as assistant to Carla Kreitman, State Family Court Coordinator. Before coming to the AOC, Dana was employed in St. Louis as a Travel Program Manager for a large corporate incentive company. Her undergraduate degree is in accounting and she is planning to pursue a Masters in Business Administration in the fall of 1999.

Brenda Bingham is the secretary to the Family Court Department of the AOC. She was previously employed by the AOC in a similar capacity, after having owned and operated a general grocery store in South Carolina.

Jennifer Van Hoose, Field Coordinator, Court Community Relations Program, will be working with the Family Court Staff in implementing the nine family court pilot sites. She will be working on developing training curriculum and program implementation. She has earned an AA in Paralegal Studies from Midway College and a BA from

Kentucky State University in Criminal Justice. Jennifer has been with the Administrative Office of the Courts for six years and looks forward to this new challenge.

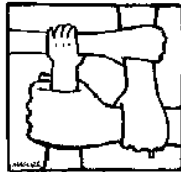
Pike County...

Glenda Lyons has accepted the Family Court Administrator position in Pike County. Glenda has been employed in Pike County as a Court Designated Worker since June 12, 1988. Glenda has been involved in many programs throughout her community that help families and their children, such as Teen Court, CASA, AIDS Hotline Volunteer and Chairperson for Mullin Family Resource and Youth Service Center. To help prepare her for her new position, Glenda has been taking continuing education courses in subjects such as computer use and public speaking at Pikeville Community College.

Boone and Gallatin Counties...

Kimberly J. Adams has been named Family Court Administrator for the Fifty-Fourth Judicial Circuit, which encompasses Boone and Gallatin Counties in Northern Kentucky. Kim earned a Bachelor of Arts in Communications from Northern Kentucky University in 1982 and a Juris Doctor from Salmon P. Chase College of Law in 1985. She spent the first eight years of her legal career in private practice concentrating in family law and civil litigation. She then spent four years as a legal writer and editor with The National Underwriter Company. She

spent the last year as Staff Attorney to Judge F. Bamberger of the Fifty-Fourth Judicial Circuit. Kim is also an Adjunct Professor with the College of Business at Northern Kentucky University.



New Personnel for Family Court

The legislation that creates family court pilots was fortunately supported by sufficient budgetary allotments to provide for the necessary staff to operate the new courts. A family court judge will be appointed to each family court district. The judges appointed this year will run for elected office in November 1999. The budget provides for each family court to have, in addition to the judicial officer, a family court administrator, a law clerk/staff attorney, a social worker, a judicial secretary, and a bench clerk and deputy clerk.

Any questions regarding salary or job descriptions may be directed to the AOC.

Upcoming Events

Aug. 17	Family Courts Clerks Meeting
Aug. 20	Warren Co. Family Court Council Meeting
Sept./Oct.	Family Court Judge Appointments Pike Co., Warren Co., Boone/Gallatin Co.

*Please forward suggestions for future articles by September 12 to:
Brenda Bingham
Administrative Office of the Courts
100 Millcreek Park
Frankfort, KY 40601-9230*

Requests for additional newsletters for distribution, or to be added to the mailing list, please call Brenda Bingham at (800)928-2350.

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